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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,498	09/23/2003	Jun Okazaki	259052003400	3984
25226	7590	07/20/2005	EXAMINER	
MORRISON & FOERSTER LLP			VANNUCCI, JAMES	
755 PAGE MILL RD			ART UNIT	
PALO ALTO, CA 94304-1018			PAPER NUMBER	

2828.

DATE MAILED: 07/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/669,498

Applicant(s)

OKAZAKI, JUN

Examiner

Jim Vannucci

Art Unit

2828

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9-23-03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Tadatsu et al.(2900928).

Claim 1, figure 2 discloses a light emitting device with a semiconductor laser chip(11) which emits a laser beam, a coherence reducing member(5) which receives the laser beam and reduces coherence of the laser beam to generate a lower coherence light beam, and a package(2) which houses the laser chip(11) and the coherence reducing member(5) having an opening wherein the laser beam emitted from the laser chip is converted into a lower coherence light beam by the coherence reducing member and outputted through the opening.

Claim 7, the package disclosed in figure 2 of Tadatsu discloses a positive electrode terminal and a negative electrode terminal for applying a DC voltage to the semiconductor laser chip.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-6 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tadatsu in view of Wilson(6,299,328).

Claim 2, the coherence reducing member(5) disclosed in figure 2 of Tadatsu is composed of a fluorescent material which is excited by the laser beam emitted from the semiconductor laser chip(11) and it would be obvious to generate fluorescent light having a greater wavelength than the laser beam given the disclosure of Tadatsu(solution, lines 3-4) and Wilson.

Claim 3, a semiconductor laser chip which emits a purple-blue laser beam is disclosed in Wilson(col. 5, lines 20-23), and the coherence reducing member disclosed in figure 3 of Wilson is a fluorescent layer(106) which can excited by the laser beam to generate white light.

Claim 4, Wilson discloses a coherence reducing member that can be a reflective member having a reflective surface roughened for reflecting the laser beam incident thereon in an unevenly phase-shifted manner(col. 6, lines 1-4).

Claim 5, the semiconductor laser chip disclosed in figure 2 of Tadatsu is a laser chip of end light emission type, and Wilson discloses laser chips that can emit a purple-blue laser beam(col. 5, lines 19-21).

Claim 6, a laser chip of face light emission type is obvious given the disclosure of Wilson(col. 5, lines 15-25).

Claim 8, figure 6 of Wilson discloses a metal block(206) that can dissipate heat generated by the semiconductor laser chips.

Claim 9, Wilson discloses semiconductor laser chips that include at least one of three laser chips which emit red, green and blue light beams, respectively(col. 8, lines 53-54).

Claim 10, figure 14 of Wilson discloses a light transmissive plate(516) fitted in the opening.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the above elements disclosed in Wilson in the device disclosed in Tadatsu to form more complex illumination systems as disclosed in Wilson(abstract).

### ***Correspondence***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Jim Vannucci whose phone number is (571) 272-1820.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center whose telephone number is (703) 308-0956.

Papers related to Technology Center 2800 applications only may be submitted to Technology Center 2800 by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The faxing of such

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papers must conform with the notice published in the Official Gazette, 1096 OG 30  
(November 15, 1989). The Technology Center Fax Center number is (571) 273-8300.

A handwritten signature in black ink that reads "James Vannucci". The signature is written in a cursive style with a large, stylized "J" and "V".

James Vannucci